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Fax (703) 872-9306 Pages 9

Date November 19, 2004

From Susan M. Pellegrino

Fax (203) 812-6459 Tel. (203) 812-6450

Re U.S. Patent Application Serial No.: 10/070,963

Bayer Pharmaceuticals
Corporation

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Documents transmitted to the U.S. Patent and Trademark Office

- 1) Fee Transmittal [IN DUPLICATE]
- 2) Reply to Office Action mailed on May 19, 2004
- 3) Request for Continued Examination (PTO/SB/30)
- 4) Certificate of Transmission under 37 CFR 1.8
- 5) Fax Cover Sheet

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PTO/SB/97 (05-03)

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Susan M. Pellegrino, Reg. No. 48,972

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For U.S. Patent Application Serial No. 10/070,963

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1770.00)

Complete if Known

Application Number	10/070,963
Filing Date	June 28, 2002
First Named Inventor	Erwin Bischoff
Examiner Name	Jennifer M. Kim
Art Unit	1617
Attorney Docket No.	LeA 35 965

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	13-3372
Deposit Account Name	Jeffrey M. Greenman

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			980.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependant	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		790.00

*or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

-Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1770.00)

(Complete if applicable)

SUBMITTED BY			
Name (Print/Type)	Susan M. Pellegrino	Registration No. / Attorney/Agent	48,972 Telephone (203) 812-6450
Signature	Susan M. Pellegrino	Date	11/19/2004

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DUPLICATE

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

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Examiner Name	Jennifer M. Kim
Art Unit	1617
Attorney Docket No.	LeA 35 965

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Deposit Account Number: 13-3372

Jeffrey M. Greenman

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Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$)	1770.00

(Complete if applicable)

SUBMITTED BY	Name (Print/Typo)	Susan M. Pellegrino	Registration No. (Attorney/Agent)	48,972	Telephone (203) 812-6450
Signature		Susan M. Pellegrino	Date	11/19/2004	

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Attorney Docket No. LcA 33 965

NOV 19 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Erwin Bischoff, et al.,

Serial No.: 10/070,963

Group Art Unit: 1617

Filed: June 28, 2002

Examiner: Jennifer M. Kim

For: Novel Combination for the Treatment of Sexual Dysfunction

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being facsimile transmitted, on the date shown below, to the U.S. Patent and Trademark Office at (703) 872-9306.

Date: November 19, 2004



Susan M. Pellegrino

REPLY AND AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action mailed on May 19, 2004 (Paper No. 05062004), Applicants respectfully request reconsideration and reexamination of the present application in view of the following remarks.

Applicants respectfully petition the Commissioner for Patents under the provisions of 37 C.F.R. 1.136(a) to extend the time for filing a response to the Office Action mailed on May 19, 2004 for three months from August 19, 2004 to November 19, 2004. Please charge the fee for the three-month extension of time to Deposit Account No. 13-3372.

A Request for Continued Examination (RCE) has also been filed including the appropriate fee (PTO/SB/30).

REMARKS

Applicants respectfully request reconsideration and reexamination of the present application in light of the remarks below.

Claims 1, 5-10, and 12-26 are pending in this application.

Applicants note that the Examiner has withdrawn rejection of claims 18 and 19 under 35 U.S.C. § 112, second paragraph (Paper No. 05062004, page 2).